

COMMITTEE OF BAR EXAMINERS

OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: August 2014 -- O-402

2013-2014 Goals and Accomplishments Educational Standards Subcommittee Updated 08/2014

1. Consider a proposed extension of the deadline for the submission of the Annual Compliance Report by all California-Accredited Law Schools.

A proposed extension of the reporting deadline to December 15 of each year was not approved in light of other action taken by the Committee that separates the deadline for reporting minimum bar passage rates from the deadline for submission of the schools' annual compliance reports.

2. Consider revising the guidelines for eligibility determinations related to determining the eligibility of foreign-educated applicants to take the California Bar Examination to include other credential services.

A proposed amendment to Section 1.1 of the Committee's "Guidelines for Implementation of Chapter 2, Rule 4.30 of the *Admissions Rules* was considered and adopted in October 2013.

3. Consider a revision to the *Guidelines for Accredited Law School Rules* to provide a comprehensive and accurate definition of a "branch" campus for purposes of the Committee of Bar Examiners prior approval of a major change request from a California-Accredited law school to open a branch campus.

Proposed amendments to the *Accredited Law School Rules and Guidelines for Accredited Law School Rules* relative to opening branch or satellite campuses were considered and adopted in principle in June, subject to a 45-day public comment period, which will be placed on the Board of Trustees' agenda for consideration during its November 2014 meeting.

4. Consider proposed amendments Guideline 12.1 re cumulative bar examination pass rates (CBEPR) requirements.

Proposed amendments to Guidelines 12.1 and 12.2 were adopted in principal, subject to a 30-day period of public comment period. After consideration of the comments received and input from its Advisory Committee on California Accredited Law School rules, proposed amendments to Guidelines 12.1 and 12.2 were adopted. Subsequently, due to issues with implementing the newly adopted amendments to Guideline 12.1 and 12.2, further proposed amendments to the Guidelines, along with

a proposed reporting form, were considered in June. During the Committee's June meeting, a "pilot" reporting program, which includes the proposed amendments considered by the Committee in June and alternate language and formulas proposed by the California Accredited Law School Deans, was approved with a deadline for reporting on September 15, 2014.

5. Consider the role of commercial bar review courses in awarding credit for bar review courses.

In response to the Committee's direction, a survey of how the California-Accredited Law Schools (CALS) have responded to the adoption in 2009 of Guideline 1.8, which allowed the CALS to offer students credit for bar examination review and preparation courses was of the CALS, was conducted. The survey results were reported to the Committee's Advisory Committee on California Accredited Law School Rules during its June meeting. During its June meeting, the Committee received the report of its advisory committee on this matter and no further action was deemed necessary.

6. Consider the recommendations of the Working Group in regard to necessary amendments to the statute, California Rules of Court, the *Unaccredited Law School Rules*, *Guidelines for Unaccredited Law Rules*, and the *Accredited Law School Rules* and *Guidelines for Accredited Law School Rules* to carry out the Committee's concepts that have been approved in principle with regard to clarifying that the Committee has no role in the oversight of non-law school programs, requiring that unaccredited law schools eventually become accredited and permitting distance-learning law schools to become accredited.

During its meetings held in October 2013, and January, March, April and June of 2014, the Committee received oral reports from Committee members appointed to the Working Group regarding its progress in proposing and recommending future amendments and revisions to the *Unaccredited [Registered] Law School Rules*, *California Rules of Court* and the *Accredited Law School Rules*. Final proposed amendments are scheduled for consideration by the Committee during its August 2014 meeting.

7. Consider the Committee's continuing role, pursuant to Guideline 13.1 of the *Guidelines for Accredited Law School Rules* and Guideline 1.2 or the *Guidelines for Implementation of Chapter 2, Rule 4.30 of the Admission Rules*, of continuing to grant either its "acquiescence" to the issuance of a LL.M. degrees offered by ABA-approved and California Accredited Law Schools to Foreign Educated Applicants or its permission for such Applicants to complete twenty (20) semester or equivalent units in specified legal education at an ABA-approved or California-accredited law school, to be qualified to take the California Bar Examination.

Nothing on this matter has been considered during this Committee year.

8. Consider recommendations from the Committee's Advisory Committee on California Accredited Law School Rules regarding proposed amendments to the *Accredited Law School Rules and Guidelines for Accredited Law School Rules*.

Ongoing

9. Consider petitions received from accredited and registered, unaccredited law schools seeking individual waivers of the Committee's policies, procedures, rules and guidelines.

Monthly

10. Consider reports on pending applications for provisional, accreditation and registration, other and new law degree programs and requests for prior approval of major changes. Participate in law school visitations as scheduled and needed. Consider reports of periodic inspections of accredited and registered unaccredited law schools and inspections performed in response to the issuance of Notices of Noncompliance; Generally monitor the law school accreditation and registration process and the educational requirements for applicants seeking to qualify to take and pass the California Bar Examination.

Monthly